

REMARKS

Claim Status

Applicants initially wish to thank Examiner Kosack for his consideration of Applicants' amendments and remarks in the Amendment and Response submitted on June 26, 2009.

The Office Action indicates that previously withdrawn claims 8-10, 12, 15, 20-25, 35-42, and 50 have been rejoined for examination. Accordingly, claims 4, 7-10, 12, 14-25, 31-43, 45-51, 53, and 54 are currently pending.

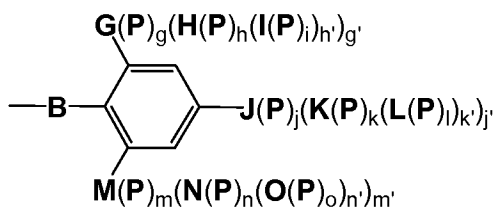
In addition, the Office Action indicates that claim 43 is currently allowable.

Claim Amendments

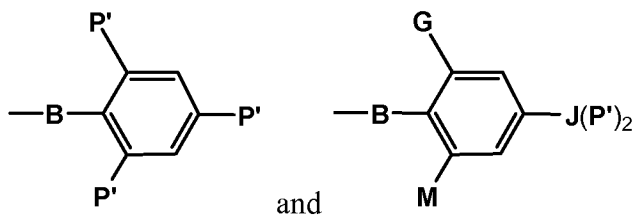
Independent claim 4 has been amended to clarify the definition of **V**. Support for the amendments to the definition of **V** can be found in the originally-filed application as published, i.e., U.S. Patent Application Publication No. 2006/0116422 ("Published Application"), for example, at paragraphs [0148]-[0153] and [0158]-[0159].

Applicants also have deleted **C** from the phrase "taken together, **V-B** is an oxidized form of **B**, wherein **B** is part of **C**, **W** or **X**" in independent claim 4 to resolve an inconsistency arising from previous amendments which require the presence of **X** in the claimed compound.

Further, Applicants have amended independent claim 4 to replace the structure:



with the structures



by substituting into the previous structure the definitions of **G, J, M**, g, h, i, h', g', j, k, l, k', j', m, n, o, m', and n' as recited in the previous version of independent claim 4.

Applicants submit that no new matter is introduced by the above amendments.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 4, 7-10, 12, 14-25, 31-42, 45-51, 53, and 54 are rejected under the first paragraph of 35 U.S.C. § 112 as allegedly failing to comply with the written description requirement. Specifically, the term “specifier” allegedly is not adequately described according to the “representative number of species” standard.

Without acquiescing to the rejection but to expedite prosecution, Applicants have amended independent claim 4 to recite that **V** is an enzymatically removable specifier comprising an optionally protected peptide. Applicants respectfully submit that the specification describes various representative examples of enzymatically removable specifiers that include an optionally protected peptide. See e.g., Published Application, at paragraphs [0148]-[0153] and [0158]-[0159].

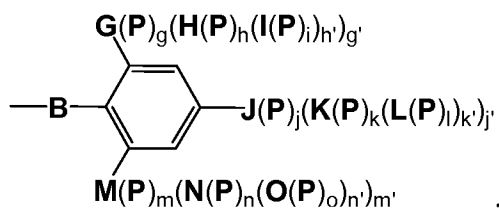
Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under the first paragraph of 35 U.S.C. § 112.

Rejections Under 35 U.S.C. § 112, Second Paragraph

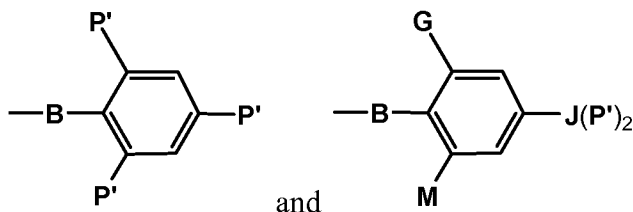
Claims 4, 7-10, 12, 14-25, 31-42, 45-51, 53, and 54 are rejected under the second paragraph of 35 U.S.C. § 112 as allegedly being indefinite. Specifically, the Office Action states that there are two separate definitions of “**P**” in independent claim 4, making it unclear how **P** is defined in the definition of **W** and **X** and in the definition of **C, D, E**, and **F**.

To clarify, Applicants have replaced **P** in the structures associated with the definition of **C, D, E**, and **F** with **P'**. Applicants respectfully submit that replacing **P** with **P'** in the definition of **C, D, E**, and **F** does not constitute new matter and resolves any ambiguities related to how **P** is defined in the definition of **W** and **X** versus in the definition of **C, D, E**, and **F**.

In addition, per the suggestion in the Office Action, Applicants have removed the substituents **G**, **H**, **I**, **K**, **L**, **M**, **N**, and **O** from the previous structure associated with the definition of **C**, **D**, **E**, and **F** by substituting the definitions of **G**, **J**, **M**, **g**, **h**, **i**, **h'**, **g'**, **j**, **k**, **l**, **k'**, **j'**, **m**, **n**, **o**, **m'**, and **n'** as recited in the previous version of independent claim 4 into the structures:



which reduces the structure above into the structure:



In light of the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection under the second paragraph of 35 U.S.C. § 112.

CONCLUSION

Based on the above remarks and claim amendments, Applicants believe that the application is in condition for allowance. The Examiner is urged to telephone the undersigned attorney to discuss any remaining issues. Early and favorable action is respectfully solicited.

Respectfully submitted,

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